

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1099 be amended to read as follows:

1 Page 16, between lines 2 and 3, begin a new paragraph and insert:
2 "SECTION 16. IC 22-11-14-16 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE UPON PASSAGE]]: **Sec. 16. Fireworks are, for**
5 **purposes of IC 34-20, unreasonably dangerous products. A**
6 **manufacturer of consumer fireworks is strictly liable for any death,**
7 **bodily injury, or property damage caused by the use of the**
8 **manufacturer's product in accordance with the provisions of**
9 **IC 34-20-2-3 and IC 34-20-2-4 without regard to warnings or**
10 **defective condition."**

11 Page 17, between lines 22 and 23, begin a new paragraph and insert:
12 "SECTION 21. [EFFECTIVE UPON PASSAGE] **(a)**
13 **Notwithstanding IC 22-11-14-2(a) and IC 22-11-14-8(d), both as**
14 **amended by this act, and IC 22-11-14-3.5 and IC 22-11-14-15, both**
15 **as added by this act, the fire safety and building commission shall**
16 **carry out the duties imposed upon it by this act with respect to the**
17 **matters referred to in IC 22-11-14-2(a) and IC 22-11-14-8(d), both**
18 **as amended by this act, and IC 22-11-14-3.5 and IC 22-11-14-15,**
19 **both as added by this act, under interim written guidelines**
20 **approved by the state fire marshal.**

21 **(b) This SECTION expires on the earlier of the following:**
22 **(1) The date rules are adopted under IC 22-11-14-2(a) and**
23 **IC 22-11-14-8(d), both as amended by this act, and**
24 **IC 22-11-14-3.5 and IC 22-11-14-15, both as added by this**
25 **act.**
26 **(2) December 31, 2007.**

27 SECTION 22. [EFFECTIVE UPON PASSAGE] **(a)**
28 **Notwithstanding IC 22-11-14-11(d) and IC 22-11-14-15, both as**
29 **added by this act, the department of state revenue shall carry out**
30 **the duties imposed upon it by this act with respect to the matters**

1 referred to in IC 22-11-14-11(d) and IC 22-11-14-15, both as
2 added by this act, under interim written guidelines approved by
3 the commissioner of the department of state revenue.

4 (b) This SECTION expires on the earlier of the following:

5 (1) The date rules are adopted under IC 22-11-14-11(d) and
6 IC 22-11-14-15, both as added by this act.

7 (2) December 31, 2007."

8 Renumber all SECTIONS consecutively.

(Reference is to EHB 1099 as printed February 24, 2006.)

Senator FORD